



8-4-04

IFW

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/687,539

Filing Date: October 16, 2003

Applicant: Foley et al.

Group Art Unit: 3736

Examiner:

Title: METHOD AND APPARATUS FOR SURGICAL NAVIGATION OF  
A MULTIPLE PIECE CONSTRUCT FOR IMPLANTATION

Attorney Docket: 5074A-000067

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Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. **LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION**

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. **COPIES**

A. ☐ Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. ☐ Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

C. ☒ Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form 1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form 1449 are enclosed herewith.

D. ☐ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form 1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g).)

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. ☒ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. ☒ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ☐ See the attached foreign patent office communication from a counterpart foreign application:

2. ☐ English translations are provided:

3. ☒ Other:

Japanese Reference JP 2765738 appears to disclose a catheter that may be positioned relative to a selected site to produce a signal to create a data set.

German Reference DE 3831278 has U.S. equivalent of U.S. Patent No. 4,923,459.

German Reference DE 4233978 has U.S. equivalent of U.S. Patent No. 5,394,457.

German Reference DE 3042343 appears to disclose a system operable to receive a signal regarding a point in space.

European Reference EP 0 581 704 has a U.S. equivalent of U.S. Patent No. 5,447,154.

France Reference No. 2417970 has a U.S. equivalent of U.S. Patent No. 4,418,422.

German Reference No. DE 10085137 has a U.S. equivalent of U.S. Patent No. 6,499,488.

An English Abstract is provided for Other Documents reference No. 13.

An English Abstract is provided for Other Documents reference No. 49.

An English Abstract is provided for Other Documents reference No. 54.

An English translation is provided for Other Documents reference No. 63.

C. ☐ The following additional information is provided for the Examiner's consideration.

#### IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. ☐ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does (do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

#### V. THIS IDS IS BEING FILED UNDER

A. ☒ **37 C.F.R. § 1.97(b):** (check only one box)

1. ☐ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.
2. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.
3. ☒ before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
4. ☐ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ☐ **37 C.F.R. § 1.97(c):** (check only one box)

before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ☐ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
2. ☐ See the certification below. No fee is required.

C. ☐ **37 C.F.R. § 1.97(d):**

after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ☐ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. **CERTIFICATION UNDER 37 C.F.R. § 1.97(e):** (check only one box)

The undersigned hereby certifies that:

A. ☐ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. 1.704(d) below in section VII, if applicable; or

B. ☐ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ☐ some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 C.F.R. 1.704(d)

The undersigned hereby states that:

☐ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VI. PAYMENT OF FEES (check only one box)

A. ☐ A check in the amount of \$180.00 is enclosed for the above identified fee.

B. ☐ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination,


to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: August 3, 2004

By:   
Richard W. Warner  
Reg. No. 38,043

Harness, Dickey & Pierce, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

RWW/MLT/lkj

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/687,539
	Filing Date	October 16, 2003
	First Named Inventor	Foley et al.
	Art Unit	3736
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	5074A-000067

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>28 page Form PTO-1449</b> <b>29 Foreign Patent Documents</b> <b>77 Other Documents</b>
<b>Remarks</b>  The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Richard W. Warner	Reg. No. 38,043
Signature			
Date	August 3, 2004		

**CERTIFICATE OF TRANSMISSION/MAILING**

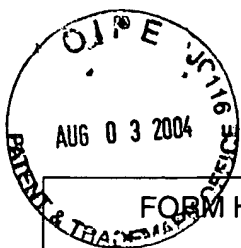
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Richard W. Warner	Express Mail Label No.	EV 533 145 681 US (8/3/2004)
Signature		Date	August 3, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**EV 533 145 681 US**



FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE  
INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 1 of 28

ATTORNEY DOCKET No.

SERIAL No.

5074A-000067

10/687,539

APPLICANT

Foley et al.

FILING DATE

GROUP

October 16, 2003

3736

**U.S. PATENT DOCUMENTS**

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		Re. 35,025	8/1995	Anderton		
2.		Re. 35,816	6/1998	Schulz		
3.		1,576,781	03/1926	Phillips		
4.		1,735,726	11/1929	Bornhardt		
5.		2,407,845	09/1946	Nemeyer		
6.		2,650,588	09/1953	Drew		
7.		2,697,433	12/1954	Sehnder		
8.		3,016,899	01/1962	Stenvall		
9.		3,017,887	01/1962	Heyer		
10.		3,061,936	11/1962	Dobbeleer		
11.		3,073,310	01/1963	Mocarski		
12.		3,294,083	12/1966	Alderson		
13.		3,367,326	02/1968	Frazier		
14.		3,439,256	04/15/1969	Kähne et al.		
15.		3,577,160	05/1971	White		
16.		3,674,014	07/04/1972	Tillander		
17.		3,702,935	11/1972	Carey et al.		
18.		3,704,707	12/1972	Halloran		
19.		3,868,565	02/25/1975	Kuipers		
20.		3,941,127	03/1976	Froning		
21.		4,037,592	07/1977	Kronner		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



<b>FORM HDP-1449 (Based on Form PTO-1449)</b>  <b>PATENT AND TRADEMARK OFFICE</b> <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 2 of 28	ATTORNEY DOCKET NO.	SERIAL NO.
	5074A-000067	10/687,539
	APPLICANT	
	Foley et al.	
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	October 16, 2003	3736

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		4,052,620	10/1977	Brunnett		
23.		4,054,881	10/18/1977	Raab		
24.		4,117,337	09/26/1978	Staats		
25.		4,173,228	11/06/1979	Van Steenwyk et al.		
26.		4,202,349	05/1980	Jones		
27.		4,262,306	04/14/1981	Renner		
28.		4,287,809	09/08/1981	Egli et al.		
29.		4,314,251	02/02/1982	Raab		
30.		4,317,078	02/23/1982	Weed et al.		
31.		4,328,813	05/1982	Ray		
32.		4,339,953	07/20/1982	Iwasaki		
33.		4,358,856	11/09/1982	Stivender et al.		
34.		4,368,536	01/1983	Pfeiler		
35.		4,396,885	08/02/1983	Constant		
36.		4,403,321	09/1983	DiMarco		
37.		4,418,422	11/1983	Richter et al.		
38.		4,422,041	12/20/1983	Lienau		
39.		4,431,005	02/14/1984	McCormick		
40.		4,485,815	12/1984	Amplatz		
41.		4,543,959	10/01/1985	Sepponen		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>FORM HDP-1449 (Based on Form PTO-1449)</b>  <b>PATENT AND TRADEMARK OFFICE</b> <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 3 of 28	ATTORNEY DOCKET NO.	SERIAL NO.
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	APPLICANT	
	Foley et al.	
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	October 16, 2003	3736

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
42.		4,548,208	10/22/1985	Niemi		
43.		4,572,198	02/25/1986	Codrington		
44.		4,584,577	04/22/1986	Temple		
45.		4,613,866	09/23/1986	Blood		
46.		4,618,978	10/21/1986	Cosman		
47.		4,621,628	11/1986	Bludermann		
48.		4,625,718	12/1986	Olerud et al.		
49.		4,642,786	02/10/1987	Hansen		
50.		4,645,343	02/1987	Stockdale et al.		
51.		4,649,504	03/10/1987	Krouglicof et al.		
52.		4,651,732	03/24/1987	Frederick		
53.		4,653,509	03/1987	Oloff et al.		
54.		4,673,352	06/1987	Hansen		
55.		4,706,665	11/17/1987	Gouda		
56.		4,719,419	01/12/1988	Dawley		
57.		4,722,056	01/26/1988	Roberts et al.		
58.		4,722,336	02/1988	Kim et al.		
59.		4,727,565	02/23/1988	Ericson		
60.		4,737,794	04/12/1988	Jones		
61.		4,737,921	04/12/1988	Goldwasser et al.		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>FORM HDP-1449 (Based on Form PTO-1449)</b>  <b>PATENT AND TRADEMARK OFFICE</b> <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 4 of 28	ATTORNEY DOCKET No.	SERIAL No.
	5074A-000067	10/687,539
	APPLICANT	
	Foley et al.	
	FILING DATE	GROUP
	October 16, 2003	3736

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
62.		4,750,487	06/1988	Zanetti		
63.		4,771,787	09/20/1988	Wurster et al.		
64.		4,791,934	12/20/1988	Brunnett		
65.		4,793,355	12/1988	Crum et al.		
66.		4,797,907	01/1989	Anderton		
67.		4,803,976	02/1989	Frigg et al.		
68.		4,821,206	04/11/1989	Arora		
69.		4,821,731	04/18/1989	Martinelli et al.		
70.		4,836,778	06/06/1989	Baumrind et al.		
71.		4,845,771	07/1989	Wislocki et al.		
72.		4,849,692	07/18/1989	Blood		
73.		4,862,893	09/05/1989	Martinelli		
74.		4,889,526	12/26/1989	Rauscher et al.		
75.		4,905,698	03/06/1990	Strohl, Jr. et al.		
76.		4,923,459	05/1990	Nambu		
77.		4,931,056	06/1990	Ghajar et al.		
78.		4,945,305	07/31/1990	Blood		
79.		4,945,914	08/1990	Allen		
80.		4,951,653	08/1990	Fry et al.		
81.		4,977,655	12/18/1990	Martinelli		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>FORM HDP-1449 (Based on Form PTO-1449)</b>  <b>PATENT AND TRADEMARK OFFICE</b> <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 5 of 28	ATTORNEY DOCKET NO.	SERIAL NO.
	5074A-000067	10/687,539
	APPLICANT	
	Foley et al.	
	FILING DATE	GROUP
	October 16, 2003	3736

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
82.		4,989,608	02/05/1991	Ratner		
83.		4,991,579	02/12/1991	Allen		
84.		5,002,058	03/26/1991	Martinelli		
85.		5,005,592	04/09/1991	Cartmell		
86.		5,013,317	05/1991	Cole et al.		
87.		5,016,639	05/21/1991	Allen		
88.		5,027,818	07/02/1991	Bova et al.		
89.		5,030,196	07/09/1991	Inoue		
90.		5,030,222	07/1991	Calandruccio et al.		
91.		5,031,203	07/1991	Trecha		
92.		5,042,486	08/27/1991	Pfeiler et al.		
93.		5,050,608	09/24/1991	Watanabe et al.		
94.		5,054,492	10/08/1991	Scribner et al.		
95.		5,057,095	10/15/1991	Fabian		
96.		5,059,789	10/22/1991	Salcudean		
97.		5,079,699	01/07/1992	Tuy et al.		
98.		5,086,401	02/04/1992	Glassman et al.		
99.		5,094,241	03/10/1992	Allen		
100.		5,097,839	03/24/1992	Allen		
101.		5,099,845	03/31/1992	Besz et al.		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>FORM HDP-1449 (Based on Form PTO-1449)</b>  <b>PATENT AND TRADEMARK OFFICE</b> <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 6 of 28	ATTORNEY DOCKET No.	SERIAL No.
	5074A-000067	10/687,539
	APPLICANT	
	Foley et al.	
	FILING DATE	GROUP
	October 16, 2003	3736

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
102.		5,105,829	04/21/1992	Fabian et al.		
103.		5,107,839	04/28/1992	Houdek et al.		
104.		5,107,843	04/1992	Aarnio, et al.		
105.		5,107,862	04/28/1992	Fabian et al		
106.		5,109,194	04/28/1992	Cantaloube		
107.		5,119,817	06/09/1992	Allen		
108.		5,142,930	09/01/1992	Allen et al.		
109.		5,152,288	10/06/1992	Hoening et al.		
110.		5,160,337	11/1992	Cosman		
111.		5,161,536	11/10/1992	Vikomerson et al.		
112.		5,178,164	01/12/1993	Allen		
113.		5,178,621	01/1993	Cook et al.		
114.		5,186,174	02/1993	Schlondorff et al.		
115.		5,187,475	02/16/1993	Wagener et al.		
116.		5,188,126	02/23/1993	Fabian et al		
117.		5,190,059	03/02/1993	Fabian et al		
118.		5,197,476	03/30/1993	Nowacki et al.		
119.		5,197,965	03/1993	Cherry et al.		
120.		5,198,768	03/30/1993	Keren		
121.		5,198,877	03/30/1993	Schulz		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>FORM HDP-1449 (Based on Form PTO-1449)</b>  <b>PATENT AND TRADEMARK OFFICE</b> <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 7 of 28	ATTORNEY DOCKET No.	SERIAL No.
	5074A-000067	10/687,539
	APPLICANT	
	Foley et al.	
	FILING DATE	GROUP
	October 16, 2003	3736

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
122.		5,211,164	05/18/1993	Allen		
123.		5,211,165	05/18/1993	Dumoulin et al.		
124.		5,211,176	05/1993	Ishiguro et al.		
125.		5,212,720	05/1993	Landi et al.		
126.		5,214,615	05/25/1993	Bauer		
127.		5,219,351	06/1993	Teubner et al.		
128.		5,222,499	06/29/1993	Allen et al.		
129.		5,228,442	07/20/1993	Imran		
130.		5,233,990	08/1993	Barnea		
131.		5,237,996	08/24/1993	Waldman et al.		
132.		5,249,581	10/1993	Horbal et al.		
133.		5,251,127	10/1993	Raab		
134.		5,251,635	10/12/1993	Dumoulin et al.		
135.		5,253,647	10/19/1993	Takahashi et al.		
136.		5,255,680	10/26/1993	Darrow et al.		
137.		5,257,636	11/02/1993	White		
138.		5,265,610	11/30/1993	Darrow et al.		
139.		5,265,611	11/30/1993	Hoenig et al.		
140.		5,269,759	12/14/1993	Hernandez et al.		
141.		5,271,400	12/21/1993	Dumoulin et al.		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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U.S. PATENT DOCUMENTS						
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142.		5,273,025	12/28/1993	Sakiyama et al.		
143.		5,274,551	12/28/1993	Corby, Jr.		
144.		5,279,309	01/18/1994	Taylor et al.		
145.		5,291,199	03/01/1994	Overman et al		
146.		5,295,483	03/22/1994	Nowacki et al.		
147.		5,297,549	03/29/1994	Beatty et al.		
148.		5,299,254	03/29/1994	Dancer et al.		
149.		5,299,288	03/29/1994	Glassman et al.		
150.		5,305,091	04/1994	Gelbart et al.		
151.		5,305,203	04/1994	Raab		
152.		5,309,913	05/10/1994	Kormos et al.		
153.		5,315,630	05/24/1994	Sturm et al.		
154.		5,316,024	05/31/1994	Hirschi et al.		
155.		5,318,025	06/07/1994	Dumoulin et al.		
156.		5,320,111	06/1994	Livingston		
157.		5,325,728	07/05/1994	Zimmerman et al.		
158.		5,325,873	07/05/1994	Hirschi et al.		
159.		5,329,944	07/19/1994	Fabian et al		
160.		5,333,168	07/1994	Fernandes et al.		
161.		5,353,795	10/11/1994	Souza et al.		

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U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
162.		5,353,800	10/11/1994	Pohndorf et al		
163.		5,353,807	10/11/1994	DeMarco		
164.		5,368,030	11/29/1994	Zinreich et al.		
165.		5,375,596	12/27/1994	Twiss et al.		
166.		5,377,678	01/03/1995	Dumoulin et al.		
167.		5,383,454	01/24/1995	Bucholz		
168.		5,385,146	01/31/1995	Goldreyer		
169.		5,385,148	01/31/1995	Lesh et al.		
170.		5,386,828	02/07/1995	Owens et al.		
171.		5,389,101	02/1995	Heilbrun et al.		
172.		5,391,199	02/21/1995	Ben-Haim		
173.		5,394,457	02/1995	Leibinger et al.		
174.		5,397,329	03/1995	Allen		
175.		5,399,146	03/21/1995	Nowacki et al.		
176.		5,400,384	03/1995	Fernandes et al.		
177.		5,402,801	04/04/1995	Taylor		
178.		5,408,409	04/1995	Glassman et al.		
179.		5,417,210	05/23/1995	Funda et al.		
180.		5,419,325	05/30/1995	Dumoulin et al.		
181.		5,423,334	06/13/1995	Jordan		

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182.		5,425,367	06/20/1995	Shapiro et al.		
183.		5,425,382	06/20/1995	Golden et al.		
184.		5,426,683	06/1995	O'Farrell, Jr., et al.		
185.		5,426,687	06/1995	Goodall et al.		
186.		5,427,097	06/1995	Depp		
187.		5,429,132	07/04/1995	Guy et al.		
188.		5,433,198	07/18/1995	Desai		
189.		5,437,277	08/01/1995	Dumoulin et al.		
190.		5,443,066	08/22/1995	Dumoulin et al.		
191.		5,443,489	08/22/1995	Ben-Haim		
192.		5,444,756	08/1995	Pai et al.		
193.		5,445,144	08/29/1995	Wodicka et al.		
194.		5,445,150	08/29/1995	Dumoulin et al.		
195.		5,445,166	08/29/1995	Taylor		
196.		5,446,548	08/1995	Gerig et al.		
197.		5,447,154	09/05/1995	Cinquin et al.		
198.		5,448,610	09/1995	Yamamoto et al.		
199.		5,453,686	09/26/1995	Anderson		
200.		5,456,718	10/10/1995	Szymaitis		
201.		5,458,718	10/17/1995	Venkitachalam		

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U.S. PATENT DOCUMENTS						
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202.		5,464,446	11/1995	Dreessen et al.		
203.		5,478,341	12/1995	Cook et al.		
204.		5,478,343	12/1995	Ritter		
205.		5,480,422	01/02/1996	Ben-Haim		
206.		5,483,961	01/16/1996	Kelly et al.		
207.		5,485,849	01/23/1996	Panescu et al.		
208.		5,487,391	01/30/1996	Panescu		
209.		5,487,729	01/30/1996	Avellanet et al.		
210.		5,487,757	01/30/1996	Truckai et al.		
211.		5,490,196	02/06/1996	Rudich et al.		
212.		5,494,034	02/27/1996	Schlondorff et al.		
213.		5,503,416	04/1996	Aoki et al.		
214.		5,513,637	05/07/1996	Twiss et al.		
215.		5,515,160	05/07/1996	Schulz et al.		
216.		5,517,990	05/21/1996	Kalfas et al.		
217.		5,531,227	07/02/1996	Schneider		
218.		5,531,520	07/02/1996	Grimson et al.		
219.		5,542,938	08/06/1996	Avellanet et al.		
220.		5,543,951	08/06/1996	Moehrmann		
221.		5,546,940	08/20/1996	Panescu et al.		

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222.		5,546,949	08/20/1996	Frazin et al.		
223.		5,546,951	08/20/1996	Ben-Haim		
224.		5,551,429	09/1996	Fitzpatrick et al.		
225.		5,558,091	09/24/1996	Acker et al.		
226.		5,568,809	10/29/1996	Ben-haim		
227.		5,572,999	11/12/1996	Funda et al.		
228.		5,573,533	11/12/1996	Strul		
229.		5,575,794	11/1996	Walus et al.		
230.		5,583,909	12/1996	Hanover		
231.		5,588,430	12/31/1996	Bova et al.		
232.		5,592,939	01/14/1997	Martinelli		
233.		5,595,193	01/1997	Walus et al.		
234.		5,596,228	01/1997	Anderton et al.		
235.		5,600,330	02/04/1997	Blood		
236.		5,603,318	02/1997	Heilbrun et al.		
237.		5,617,462	04/1997	Spratt		
238.		5,617,857	04/08/1997	Chader et al.		
239.		5,619,261	04/1997	Anderton		
240.		5,622,169	04/22/1997	Golden et al.		
241.		5,622,170	04/22/1997	Schulz		

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242.		5,627,873	05/1997	Hanover et al.		
243.		5,628,315	05/13/1997	Vilsmeier et al.		
244.		5,630,431	05/20/1997	Taylor		
245.		5,636,644	06/10/1997	Hart et al		
246.		5,638,819	06/17/1997	Manwaring et al.		
247.		5,640,170	06/17/1997	Anderson		
248.		5,642,395	06/1997	Anderton et al.		
249.		5,643,268	07/01/1997	Vilsmeier et al.		
250.		5,645,065	07/08/1997	Shapiro et al.		
251.		5,647,361	07/15/1997	Damadian		
252.		5,662,111	09/02/1997	Cosman		
253.		5,664,001	09/1997	Tachibana et al.		
254.		5,674,296	10/07/1997	Bryan et al.		
255.		5,676,673	10/14/1997	Ferre et al.		
256.		5,681,260	10/28/1997	Ueda et al		
257.		5,682,886	11/04/1997	Delp et al.		
258.		5,690,108	11/1997	Chakeres		
259.		5,694,945	12/09/1997	Ben-Haim		
260.		5,695,500	12/09/1997	Taylor et al.		
261.		5,695,501	12/09/1997	Carol et al.		

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262.		5,697,377	12/1997	Wittkamp		
263.		5,702,406	12/30/1997	Vilsmeier et al.		
264.		5,711,299	01/27/1998	Manwaring et al.		
265.		5,713,946	02/03/1998	Ben-Haim		
266.		5,715,822	02/10/1998	Watkins		
267.		5,715,836	02/10/1998	Kliegis et al.		
268.		5,718,241	02/17/1998	Ben-Haim et al.		
269.		5,727,552	03/17/1998	Ryan		
270.		5,727,553	03/1998	Saad		
271.		5,729,129	03/17/1998	Acker		
272.		5,730,129	03/24/1998	Darrow et al.		
273.		5,730,130	03/1998	Fitzpatrick et al.		
274.		5,732,703	03/31/1998	Kalfas et al.		
275.		5,735,278	04/07/1998	Hoult et al.		
276.		5,738,096	04/14/1998	Ben-Haim		
277.		5,740,808	4/1998	Panescu et al.		
278.		5,741,214	04/21/1998	Ouchi et al.		
279.		5,742,394	04/1998	Hansen		
280.		5,744,953	04/28/1998	Hansen		
281.		5,748,767	05/1998	Raab		

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282.		5,749,362	05/12/1998	Funda et al.		
283.		5,749,835	05/12/1998	Glantz		
284.		5,752,513	05/19/1998	Acker et al.		
285.		5,755,725	05/26/1998	Druais		
286.		5,758,667	06/02/1998	Slettenmark		
287.		5,762,064	06/09/1998	Polyani		
288.		5,767,699	06/16/1998	Hansen et al.		
289.		5,769,789	06/23/1998	Wang et al.		
290.		5,769,861	06/23/1998	Vilsmeier		
291.		5,772,594	06/1998	Barrick		
292.		5,775,322	07/07/1998	Silverstein et al		
293.		5,776,064	07/07/1998	Kalfas et al.		
294.		5,782,765	07/21/1998	Jonkman		
295.		5,787,886	08/04/1998	Kelly et al.		
296.		5,792,055	08/11/1998	McKinnon		
297.		5,795,294	08/18/1998	Luber et al.		
298.		5,797,849	08/1998	Vesely et al.		
299.		5,799,055	08/1998	Peshkin et al.		
300.		5,799,099	08/1998	Wang et al.		
301.		5,800,352	09/01/1998	Ferre et al.		

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Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
302.		5,800,535	09/01/1998	Howard, III		
303.		5,802,719	09/1998	O'Farrell, Jr., et al.		
304.		5,803,089	09/08/1998	Ferre et al.		
305.		5,807,252	9/15/1998	Hassfeld et al.		
306.		5,810,728	09/22/1998	Kuhn		
307.		5,810,735	09/22/1998	Halperin et al		
308.		5,823,192	10/1998	Kalend et al.		
309.		5,823,958	10/20/1998	Truppe		
310.		5,828,725	10/27/1998	Levinson		
311.		5,829,444	11/03/1998	Ferre et al.		
312.		5,831,260	11/03/1998	Hansen		
313.		5,833,608	11/10/1998	Acker		
314.		5,834,759	11/10/1998	Glossop		
315.		5,836,954	11/1998	Heilbrun et al.		
316.		5,840,024	11/24/1998	Taniguchi et al.		
317.		5,840,025	11/24/1998	Ben-Haim		
318.		5,843,076	12/1/1998	Webster, Jr. et al.		
319.		5,848,967	12/15/1998	Cosman		
320.		5,851,183	12/1998	Bucholz		
321.		5,865,846	02/02/1999	Bryan et al.		

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Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
322.		5,868,674	02/09/1999	Glowinski et al.		
323.		5,868,675	02/09/1999	Henrion et al.		
324.		5,871,445	02/16/1999	Bucholz		
325.		5,871,455	09/1999	Ueno		
326.		5,871,487	02/16/1999	Warner et al.		
327.		5,873,822	02/23/1999	Ferre et al.		
328.		5,884,410	03/1999	Prinz		
329.		5,891,034	04/1999	Bucholz		
330.		5,891,157	04/06/1999	Day et al.		
331.		5,904,691	05/18/1999	Barnett et al.		
332.		5,907,395	05/1999	Schultz et al.		
333.		5,913,820	06/22/1999	Bladen et al.		
334.		5,920,395	07/06/1999	Schulz		
335.		5,921,992	07/13/1999	Costales et al.		
336.		5,923,727	07/1999	Navab		
337.		5,928,248	7/27/1999	Acker		
338.		5,938,603	8/17/1999	Ponzi		
339.		5,938,694	08/17/1999	Jaraczewski et al.		
340.		5,947,981	09/1999	Cosman		
341.		5,950,629	09/14/1999	Taylor et al.		

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Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
342.		5,951,475	09/14/1999	Gueziec et al.		
343.		5,954,647	09/21/1999	Bova et al.		
344.		5,954,796	10/12/1999	Imran		
345.		5,967,980	10/19/1999	Ferre et al.		
346.		5,968,047	10/10/1999	Reed		
347.		5,971,997	10/1999	Guthrie et al.		
348.		5,976,156	11/02/1999	Taylor et al.		
349.		5,980,535	11/1999	Barnett et al.		
350.		5,983,126	11/09/1999	Wittkampf		
351.		5,987,349	11/16/1999	Schulz		
352.		5,987,960	11/1999	Messner et al.		
353.		5,999,837	12/1999	Messner et al.		
354.		5,999,840	12/1999	Grimson et al.		
355.		6,001,130	12/14/1999	Bryan et al.		
356.		6,006,126	12/1999	Cosman		
357.		6,016,439	01/2000	Acker		
358.		6,019,725	02/01/2000	Vesely et al.		
359.		6,024,695	02/15/2000	Greenberg et al.		
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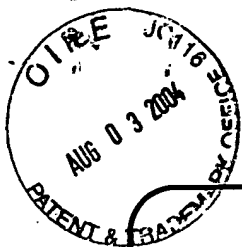
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**TRANSMITTAL  
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(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/687,539
	Filing Date	October 16, 2003
	First Named Inventor	Foley et al.
	Art Unit	3736
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	5074A-000067

**ENCLOSURES (check all that apply)**

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Richard W. Warner	Reg. No.	38,043
Signature					
Date	August 3, 2004				

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